



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Michael L. Gough

APPLICATION No.: 09/400,708

FILED: 09/21/1999

FOR: **METHOD AND ARTICLE OF  
MANUFACTURE FOR AN  
AUTOMATICALLY EXECUTED  
APPLICATION PROGRAM ASSOCIATED  
WITH AN ELECTRONIC MESSAGE**

EXAMINER: THONG VU

ART UNIT: 2465

CONFIRMATION No: 3709

ATTY. DOCK. No. NEO1P018.US01

**PETITION TO WITHDRAW NOTICE OF ALLOWANCE**  
**FOR CONSIDERATION OF IDS UNDER 37 C.F.R. 1.97(b)**

Mail Stop: Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance mailed April 2, 2010, Applicants petition to withdraw the Notice of Allowance so that the Examiner may consider Applicant's enclosed IDS under 37 C.F.R. 1.97(b).

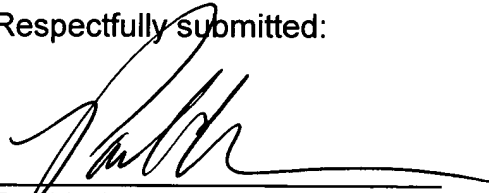
Applicant filed a Request for Continued Examination (RCE) on March 2, 2010 along with a request for Suspension of Action under 37 CFR 1.103(c) for a period of two months which runs through Monday, May 3, 2010. A copy of the RCE transmittal, including the request for Suspension of Action, is enclosed herewith. The purpose of the request for Suspension of Action was to allow the subject patent family to be cross

referenced for a final Supplemental IDS to be filed in this application. This purpose was frustrated by the Examiner's premature allowance of the application.

Applicant respectfully submits that the Notice of Allowance was prematurely issued due to Applicant's request for Suspension of Action and should be withdrawn so that the enclosed IDS can be considered under the provisions of 37 C.F.R. 1.97(b). Applicant does not believe that any fees are required for this petition but, if they are, they may be charged to Deposit Account No. 50-3539.

Date: 05/03/10

Respectfully submitted:

  
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Paul L. Hickman  
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